

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS
(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.¹

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PEAJE INVESTMENTS LLC,

Plaintiff,

Adv. Proc. No. 17-151-LTS
in 17 BK 3567-LTS

-v-

PUERTO RICO HIGHWAYS &
TRANSPORTATION AUTHORITY, et al.,

Adv. Proc. No. 17-152-LTS
in 17 BK 3283-LTS

Defendants.

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ASSURED GUARANTY CORP, et al.,

Plaintiffs,

Adv. Proc. No. 17-155-LTS
in 17 BK 3283

-v-

COMMONWEALTH OF PUERTO RICO, et al.,
Defendants.

Adv. Proc. No. 17-156-LTS
in 17 BK 3567

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¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686).

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AMBAC ASSURANCE CORPORATION,

Plaintiff,

-v-

Adv. Proc. No. 17-159-LTS
in 17 BK 3283

COMMONWEALTH OF PUERTO RICO, et al.,

Defendants.

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**FIRST SCHEDULING ORDER FOR
AMBAC ASSURANCE CORPORATION V. COMMONWEALTH OF PUERTO RICO, ET AL. (NO. 17-159-LTS); ASSURED GUARANTY CORP., ET AL. V. COMMONWEALTH OF PUERTO RICO, ET AL. (NOS. 17-155-LTS, 17-156-LTS); AND PEAJE INVESTMENTS LLC V. PUERTO RICO HIGHWAYS & TRANSPORTATION AUTHORITY, ET AL. (NOS. 17-151-LTS, 17-152-LTS)**

The Court, having reviewed thoroughly the parties' Joint Preliminary Pretrial Statements in these cases, hereby makes the following initial scheduling provisions:

1. Peaje Investments LLC V. Puerto Rico Highways & Transportation Authority, et al. (Nos. 17-151- LTS, 17-152-LTS)

The preliminary injunction motion schedule and deadline for response to the Complaints (Docket Entry No. 45 in 17-152-LTS; Docket Entry No. 56 in 17-151-LTS) shall remain in place pending further order of the Court.

The producing parties must make all discovery taken to date available to the parties in the Ambac and Assured Guaranty actions, referenced below, within seven (7) calendar days of the date of this Order. Further discovery must be made available within seven (7) calendar days of the service of written discovery, or the production of the transcript of a deposition, as the case may be, subject to execution of any relevant confidentiality agreements.

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2. Ambac Assurance Corporation v. Commonwealth of Puerto Rico, et al. (No. 17-159-LTS) and Assured Guaranty Corp., et al. v. Commonwealth of Puerto Rico, et al. (Nos. 17-155-Lts, 17-156-LTS)

Defendants must respond to the respective Complaints in these actions by **July 28, 2017**. Any dismissal motion practice must be preceded by a meet-and-confer process aimed at the refinement of the issues to be litigated and coordination of the briefing in all three cases to avoid unnecessary duplication; the parties must also propose a coordinated briefing structure and schedule for the remainder of the briefing on the motion(s), which will be taken on submission unless the Court requests oral argument.

3. Pretrial Conference; Coordination of Case Management

The next pretrial conference in each of these five adversary proceedings will be held on **September 27, 2017**, at 1:00 p.m. (prevailing Eastern Time) in conjunction with the September Omnibus Hearing in the Title III cases. The Court intends to coordinate discovery and the briefing of motion practice in these adversary proceedings to the greatest extent feasible, and the parties are expected to cooperate accordingly.

SO ORDERED.

Dated: July 7, 2017

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge